

RECEIVED
CENTRAL FAX CENTER

AUG 07 2007

REMARKS

In paragraph 3 of the Office Action, claims 1-6 and 8-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ota et al. (Ota) in view of Fu.

Reconsideration is requested.

Claim 1 of the present application points out a solid electrolyte in the form of a thin film that is directly formed on a positive and/or negative electrode. The thin solid electrolyte comprises a lithium ion conductive inorganic substance selected from the group consisting of a lithium ion conductive crystal and a lithium ion conductive glass-ceramic.

Ota discloses in col. 4, lines 14-19 that the inorganic solid electrolyte layer becomes polycrystallized which makes it difficult to form a dense continuous film of the inorganic solid electrolyte.

In the Office Action, at page 5, first paragraph, the Examiner stated that Ota teaches that the use of a polycrystalline electrolyte is undesirable because it would be porous and that if the material of Fu formed single or very large crystals it would not be porous. At col. 4, lines 15-23, Ota actually stated that:

[T]he inorganic solid electrolyte becomes polycrystallized and porous, making it difficult form a dense, continuous film of the inorganic sold electrolyte.

* * *

Therefore, it is desirable that the electrolytic layer be amorphous.
(emphasis added)

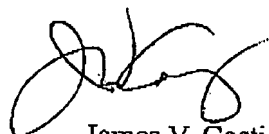
The Examiner has assumed that the material of Fu is a monocrystal or a very large crystal but in actuality, the material of Fu is neither a monocrystal nor a very large crystal but it is a polycrystallized material in which many of the crystals precipitate in a glass phase. The Fu material is not porous but it is polycrystallized and according to the teachings of Ota, it is difficult to form the material of Fu into a dense and continuous layer when it is desired to form a thin film. Thus, there is no reason for combining the teachings of Ota and Fu as Ota actually teaches away from combining the teachings of these patents. The present

inventor has found that it is possible to form a thin film by forming the solid electrolyte directly on a positive or negative electrode using the electrode as a support.

The Examiner contends that the motivation to combine Ota and Fu is "to make an electrolyte that is easier to handle, easier to form and high in conductivity" (page.5, 2nd paragraph). The Fu polycrystalline electrolyte is easy to handle and form and has high conductivity when made according to Fu. There is no information as to what would happen when this material is made according to the method of Ota. It only by hindsight that this combination of the Ota and Fu patents may be made. For these reasons, it is requested that this ground of rejection be withdrawn.

An early and favorable action is earnestly solicited.

Respectively submitted,



James V. Costigan
Registration No. 25,669

Hedman & Costigan, P.C.
1185 Avenue of the Americas
New York, NY 10036
(212) 302-8989